

**Excerpts from Act No. 115/1985
on the Registration of Icelandic Ships, as amended**

Regarding bareboat chartering of fishing vessels the relevant Icelandic provisions are to be found in Article 1 (a) of Act No. 115/1985 on the Registration of Icelandic Ships, as amended:

"The Icelandic Maritime Administration may permit that a fishing vessel, which is registered on the Icelandic Register, be registered for bareboat chartering on a foreign register of ships. Bareboat chartering is a temporary registration of a ship chartered without crew on a foreign register of ships without being removed from the Icelandic register of ships. The Icelandic Maritime Administration can decide that a permit for bareboat chartering is restricted to the register of ships of particular states. Ships may be registered in this way for a period of up to five years and the bareboat charter registration may be extended for a period of one year at a time. The following shall be included with the application for a permit for bareboat chartering:

- a) information on the bareboat charterer of the ship,
- b) information on where the ship will be registered for bareboat chartering,
- c) information on where the vessel will operate and which species it will fish,
- d) a copy of the bareboat charter agreement as well as a certified translation of the agreement if it is drafted in other languages than Icelandic or English,
- e) a verification of a foreign registry of ships that a permit has been given for a bareboat charter registration of the vessel on that particular register,
- f) a verification of a foreign registry of ships that the vessel will be immediately removed from the register if Icelandic authorities require so,
- g) a written approval of the bareboat chartering by a lien holder,
- h) other information that the Minister of Transport can provide for in a regulation.

Before the Icelandic Maritime Administration issues a permit for bareboat chartering of a ship according to paragraph 1, verification from the Ministry of Fisheries shall be available stating that the following conditions are met:

- a) vessels flying the Icelandic flag would not be able to engage in the fisheries that the vessel will engage in while the bareboat charter registration is in effect,

b) the fisheries that the vessel will engage in, while the bareboat charter registration is in effect, will not undermine international management and conservation measures decided and applied under international law,

c) the fisheries that the vessel engages in while the bareboat charter registration is in effect is not inconsistent with conservation views,

d) the fisheries that the fishing vessel will engage in while the bareboat charter registration is in effect are in conformity with the rules provided for in the relevant international conventions,

e) it is clear that the state where the vessel will be registered for bareboat chartering will perform its duties as a flag state,

f) the fisheries that the vessel will engage in while the bareboat charter registration is in effect will not provide the state where the registration for bareboat chartering will be effected with fishing performance which might be of use for it later in concluding any agreements with the Icelandic State on the distribution of harvest rights or will otherwise be contrary to Icelandic interests,

g) other conditions which the Minister of Fisheries may provide for in a regulation.

A vessel registered on the Icelandic Register of Ships and which is also registered for bareboat chartering on a foreign register of ships, will fly the flag of the foreign state and shall fulfil the provision of laws and regulations of that state, including provisions on ship survey, equipment survey and manning while the bareboat charter agreement is in force. The liens of a vessel which is registered in this way shall be registered at the relevant deeds office in Iceland.

The permission for bareboat chartering according to paragraph 1 expires when:

a) a bareboat charter agreement expires,

b) the preconditions for a bareboat charter registration permission according to paragraph 1 are no longer valid in the opinion of the Icelandic Maritime Administration,

c) the conditions for acquiring a permission for bareboat charter registration according to paragraph 2 are no longer fulfilled in the opinion of the Ministry of Fisheries,

d) the bareboat charterer wishes so,

e) Article 15 (1) applies to the ship.

When a vessel's permission for bareboat charter registration according to paragraph 1 expires, the Icelandic Maritime Administration shall request that the foreign register of ships immediately remove the vessel from its registry. If the vessel fails to fulfil the

conditions of Icelandic laws, its operators shall see to it that this is carried out within three days from the time that a notice is received stating that the vessel has been removed from the foreign registry of ships. The Icelandic Maritime Administration shall be notified when conditions have been met.

A bareboat charter registration of a vessel shall be considered terminated when a notice is received from the foreign registry of ships stating that the vessel has been removed from the registry."